

REMARKS

The Office Action of January 3, 2005, and the Advisory Action of April 14, 2005, have been carefully reviewed, and in view of the above amendments and the following remarks, reconsideration and allowance of the pending claims are respectfully requested.

In the above Office Action, claims 1-3 and 10-13 were rejected under 35 U.S.C. § 112, second paragraph. More specifically, the Examiner rejected the claims under Section 112 as being indefinite due to the use of both the phrase "consists of" and the word "optionally". Accordingly, as set forth in the Amendment of April 4, 2005, the word "optionally" was removed from independent claim 1 in order to overcome the rejection under Section 112.

In the Advisory Action of April 14, 2005, the Examiner indicates that the Amendment of April 4, 2005 would not be entered or considered because the amendments to claim 1 change the scope of the claim and raise new issues that would require further search and consideration. Applicants respectfully traverse this conclusion.

The removal of the word "optionally" in response to the Examiner's objection thereto as being inconsistent with the phrase "consists of" does nothing more than remove the inconsistency. Applicants contend that the scope of the claims was not changed since in fact all limitations in the claim were previously presented, and even more importantly, all limitations were previously considered and searched by the Examiner – as is evident from the Examiner's citation of prior art against the "optional" limitations, i.e. water and/or an acid.

In view of the above remarks, Applicants respectfully submit that the claims of the present application as amended on April 4, 2005, do not present new issues requiring further consideration or search, and in fact, would obviate the rejection under Section 112 and thus place the application in better condition for appeal.

Accordingly, Applicants respectfully submit that entry of the Amendment After Final submitted April 4, 2005, in proper and reconsideration and allowance of the pending claims are respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference would be helpful in resolving any remaining issues pertaining to this application; the Examiner is kindly invited to call the undersigned counsel for Applicants regarding the same.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 3, 2005

By: Karen R. Milberg (Rn. 53,297)
- Wendi Leigh Weinstein
Registration No. 34,456

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620